



## Administrative Policies and Procedures: 9.10

<b>Subject:</b>	<b>Closed Youth Case File Disposition at Youth Development Centers and DCS Group Homes</b>
<b>Authority:</b>	TCA 37-5-105, 37-5-106
<b>Standards:</b>	ACA: 3-JTS-1E-01; DCS Practice Standard: 8-306
<b>Application:</b>	To All Department of Children's Services Juvenile Justice Employees

### Policy Statement:

DCS Youth Development Centers and DCS Group Homes shall maintain paper records contained in inactive/closed youth case files for a specified period of time based on the record series type. The disposition of these files shall be in accordance with established policies and procedures that pertain to confidential youth records. This policy also addresses the disposition of the closed Tennessee Preparatory School (TPS) records.

### Purpose:

To ensure an orderly and timely system for the **disposition** of **closed/inactive youth case files** in the juvenile justice facilities.

### Procedures:

<b>A. Identification of Inactive/Closed Files</b>	<ol style="list-style-type: none"><li>1. In accordance with DCS policy <a href="#">7.13, Records Disposition Authorization Development and Review Process</a>, Superintendents and Directors shall ensure that each departmental treatment facility has a uniform record disposition procedure and closed file tracking system of paper files as described in <b>Sections D and E</b>.</li><li>2. One year (1) from the date of implementation of this policy, Superintendents and Directors shall ensure that all inactive/closed youth files in the facility have been labeled for disposition according to this policy.</li><li>3. When a file is designated as inactive/closed the Records Clerk/Coordinator or designee shall label the file with the appropriate <i>Records Disposition Authorization (RDA)</i> number and projected disposition date according to the following record series:<ol style="list-style-type: none"><li>a) <b>RDA2873 Closed DYD Youth Master Files</b> are to be cut off September 30, 1993, then maintained in State Records Center and various DCS locations until September 30, 2009 or until the youth's 29<sup>th</sup> birthday; then destroyed. These are juvenile justice youth records, including probation and diversion case files, formerly maintained by the Department of Youth Development (DYD), that closed from January 1, 1920 to September 30, 1993 which were</li></ol></li></ol>
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not prepped or microfilmed.

- b) **RDA2882-Closed DYD Youth-Miscellaneous Master Files** are to be cut off at the youth's 22<sup>nd</sup> birthday, and then destroyed. These are juvenile justice records, including probation and diversion case files, except for medical and education records, formerly maintained by DYD that closed from October 1, 1993 to June 30, 1996 and are currently stored at various DCS locations. This RDA replaces RDAs 390 and 2241.
- c) **RDA2866-Closed DYD Youth-Medical Master Files** are to be cut off at youth's 22<sup>nd</sup> birthday then, maintain in agency seven (7) years; then destroyed. These are juvenile justice youth medical records, formerly maintained by DYD that closed from October 1, 1993 to June 30, 1996 and are currently stored at various DCS locations.
- d) **RDA2870-Closed DYD Youth-Education Master Files** are to be cut off at youth's 22<sup>nd</sup> birthday, and maintained in the agency seven (7) years, and then destroyed. These are juvenile justice youth education records, formerly maintained by DYD that closed from October 1, 1993 to June 30, 1996 and are currently stored at various DCS locations.
- e) **RDA2871-Closed TPS Social Services-Child Ledgers** are to be cut off from January 1, 1800 to December 31, 1919, then transferred to TN Library & Archives (L&A) where original ledger books will be screened and evaluated for historical purposes. L&A will microfilm documents and maintain original film. A microfilm copy shall be retained permanently by TPS. Both microfilm original and paper records shall be maintained permanently by L&A.
- f) **RDA2872-Closed TPS Social Services Files** are to be cut off December 31, 1969, and then maintained in the agency until January 31, 2003, then destroyed. These are social services youth records that closed from January 1, 1920 to December 31, 1969.
- g) **RDA2875-Closed DCS-Residential Treatment Facilities (YDC, GH, TPS) Case Files** are to be cut off at the child's 22<sup>nd</sup> birthday, and then destroyed. These are purged files, except for specific medical and educational information and **case recordings/notes**, that closed after June 30, 1996.
- h) **RDA2876-Closed DCS-Residential Treatment Facilities (YDC, GH, TPS) Medical Records** are to be cut off at the child's 22<sup>nd</sup> birthday, then maintained in the agency for seven (7) years, then destroyed. These are health records that closed after June 30, 1996, such as dental and immunization files, psychological, psychiatric, psychosexual reports, and case recordings/notes generated by DCS.
- i) **RDA2881-Closed DCS-Residential Treatment Facilities (YDC, GH, TPS) Education Records** are to be cut off at the child's 22<sup>nd</sup> birthday, and then microfilmed. Education records including transcript, GED certificate, diploma, report cards or vocational certificates, directory information, special education census, TCAP (Competency Test, Terra Nova Achievement Test, Writing Assessment, End of Course Exams, Gateway Exams), ACT or SAT Assessment and ACT Work Keys score reports, and achievement tests administered by DCS must be maintained for DCS graduates (any type of diploma) and for youth whose last school placement was a DCS Departmental Treatment Facility. After verification and indexing of microfilm,

	<p>paper shall be destroyed. The DCS-Central Office (Education Services) division shall permanently retain microfilm records.</p> <p>j) <b><u>RDA2912-Closed TPS(1/1/1920-6/30/1996) Medical Record</u></b> are to be cut off at the child's 22nd birthday, then maintained in agency for seven (7) years, then destroyed. These are original case file records that closed from January 1, 1920 to June 30, 1996.</p> <p>k) <b><u>RDA2913-Closed TPS Social Service (1970-1979) Files</u></b> are to be cut December 31, 1979, and then maintained in the agency until January 31, 2005, then destroyed. These are <b>social services</b> youth records that closed from January 1, 1970 to December 31, 1979.</p> <p>l) <b><u>RDA2915-Closed TPS Social Service (1980-1989) Files</u></b> are to be cut off December 31, 1989, then maintained in the agency until January 31, 2006, and then destroyed. These are social services youth records that closed from January 1, 1980 to December 31, 1989.</p> <p>m) <b><u>RDA2916-Closed TPS Social Services (1990-1996) Files</u></b> are to be cut off June 30, 1996, then maintained in the agency until January 31, 2007, and then destroyed. These are social services youth records that closed January 1, 1990 to June 30, 1996.</p> <p>n) <b><u>RDA2917-Closed TPS (1/1/1920-6/30/1996) Education Records</u></b> are to be cut off at the child's 22nd birthday, and then microfilmed. Education records including transcript, GED certificate, diploma, report cards or vocational certificates, directory information, special education census, TCAP (Competency Test, Terra Nova Achievement Test, Writing Assessment, End of Course Exams, Gateway Exams), ACT or SAT Assessment and ACT Work Keys score reports, and achievement tests administered by TPS must be maintained for DCS graduates (any type of diploma) or students whose last school placement was TPS. After verification and indexing of microfilm, paper will be destroyed. The DCS Central Office, Education Services division shall permanently retain microfilm records.</p>
<b>B. Re-opened files</b>	<p>If a juvenile justice youth returns to DCS custody, facility staff will research TNKIDS for prior placement(s) and request the transfer of original inactive/closed files as described in DCS policy <b><u>9.8, Transfer of Youth Case Files Between DCS Facilities</u></b>.</p>
<b>C. Identification of protected health information (PHI) files under HIPAA Federal guidelines</b>	<p>Protected Health Information (PHI) records and databases will be destroyed in accordance with federal and state laws, rules and regulations and applicable <b><i>Health Insurance Portability and Accountability Act of 1996 (HIPAA)</i></b> policies and procedures.</p>
<b>D. Methods of records disposal</b>	<p>Approved methods for destroying confidential youth paper record information are shredding, burning, and acid bath recycling. Electronic records will be irreversibly</p>

	destroyed in accordance with state approved methods.
<b>E. Disposal documentation</b>	<ol style="list-style-type: none"> <li>Records designated for destruction, regardless of media, will be destroyed and tracked by the facility.</li> <li>Document preparation for purging shall be determined by local policy.</li> <li>Records destroyed prior to the effective date of this policy will be documented according to DCS Policy <a href="#"><u>9.4, Confidential Child-Specific Records Information</u></a>.</li> <li>Eligible case files shall be destroyed and documented on or before June 30<sup>th</sup> of each year.</li> <li>Disposal documentation shall include the following: <ol style="list-style-type: none"> <li>Youth's name</li> <li>Youth's birth date</li> <li>Youth's social security number</li> <li>Applicable RDA number</li> <li>Estimated volume (cu.ft.)</li> <li>Disposal method</li> <li>Destruction date (month/day/year)</li> <li>List name and signature of staff supervising and witnessing the record destruction.</li> </ol> </li> <li>If destruction services are contracted, the DCS facility will specify the method of destruction, note the time that will elapse prior to destroying the records, identify contractor safeguards against breaches in confidentiality, and obtain a written proof of destruction.</li> <li>Prepare Form <b>GS-0989, Certificate of Records Destruction</b> and forward to departmental records officer.</li> <li>Records destruction information shall be included in the facility's annual records holding report.</li> </ol>
<b>F. Microfilming preparation</b>	<ol style="list-style-type: none"> <li>On or before June 30<sup>th</sup> of each year education records designated for microfilming will be prepared and tracked by the facility in the following manner: <ol style="list-style-type: none"> <li>Remove duplicate documents</li> <li>Examine records for obvious misfiling</li> <li>Remove staples, paperclips, rubber bands, and fasteners from documents</li> <li>Unfold and flatten documents</li> <li>Repair frayed edges with mending tape or cutting a fresh edge provided no loss of documentation results.</li> <li>Tape or enlarge small documents (3 x 5 or smaller) to 8 ½ x 11-size paper</li> </ol> </li> </ol>

	<p>g) Identify and copy backside of a two-sided document</p> <p>h) Records prepared for microfilming shall be accompanied by a numerical record transmittal listing containing the following data:</p> <ul style="list-style-type: none"><li>◆ Facility name</li><li>◆ Transmittal date (month/year)</li><li>◆ Youth's name</li><li>◆ Youth's birth date</li><li>◆ Youth's social security number</li><li>◆ Records Clerk/Coordinator's signature and date (month/date/year)</li></ul> <p>i) The original records transmittal listing shall be sent with prepared documents to Education Services and a copy maintained at the facility.</p> <p>2. Education documents should be sent to the following location:</p> <p style="text-align: center;"><b>Department of Children's Services Attn: Education Services Director TPS Campus – Menzler #2 1282 Foster Avenue Nashville, TN 37243</b></p> <p>3. Upon receipt of prepared education documents from the facilities, Education Services will perform the following:</p> <ul style="list-style-type: none"><li>a) Acknowledge delivery of records and transmittal listings;</li><li>b) Schedule filming of documents with microfilm service provider;</li><li>c) Verify microfilm reels and maintain records transmittal/reel index listings; and</li><li>d) Schedule destruction of paper documents.</li></ul>
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<b>Forms:</b>	<a href="#"><u><b>GS-0989, Department of General Services Certificate of Records Destruction</b></u></a>
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<b>Collateral documents:</b>	<p><i>RDA2866, Closed DYD Youth-Medical Master Files</i></p> <p><i>RDA2870, Closed DYD Youth-Education Master Files</i></p> <p><i>RDA2871, TPS Social Services Child Ledgers</i></p> <p><i>RDA2872, TPS Social Services Files</i></p> <p><i>RDA2873, Closed DYD Youth Master Files</i></p> <p><i>RDA2875, Closed DCS-Residential Treatment Facilities (YDC, GH, TPS) Case Files</i></p> <p><i>RDA2876, Closed DCS-Residential Treatment Facilities (YDC, GH, TPS) Medical Record</i></p> <p><i>RDA2881, Closed DCS-Residential Treatment Facilities (YDC, GH, TPS) Education Record</i></p> <p><i>RDA2882, Closed DYD Youth-Miscellaneous Master Files</i></p> <p><i>RDA2912-Closed TPS (1/1/1920-6/30/1996) Medical Record</i></p> <p><i>RDA2913-Closed TPS Social Service (1970-1979) Files</i></p> <p><i>RDA2915-Closed TPS Social Service (1980-1989) Files</i></p> <p><i>RDA2916-Closed TPS Social Services (1990-1996) Files</i></p> <p><i>RDA2917-Closed TPS (1/1/1920-6/30/1996) Education Records</i></p>
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<b>Glossary:</b>	
<b>Term</b>	<b>Definition</b>
<b>Case recordings:</b>	The ongoing chronological narrative written by a case manager in a case file that serves to document each contact or to document any activity related to the case.
<b>Closed case file:</b>	Records that were maintained according to legal and/or organizational requirements that are eligible for disposition due to the termination of the physical custody, control, supervision and/or support services of a child by the Department of Children's Services.
<b>Disposition:</b>	An action taken, such as transferring, purging, destroying, microfilming, archiving, etc., regarding records that have reached the end of their retention period. File disposition normally occurs on the 21 <sup>st</sup> birthday for a social service child and the 22nd birthday for a juvenile justice child.
<b>Inactive case file:</b>	Records that may have been closed but are not yet ready for disposition.
<b>Social service child:</b>	A child whose main reason for being in DCS custody is not due to their committing some delinquent act.
<b>Juvenile justice child:</b>	A child whose main reason for being in DCS custody is due to their committing a delinquent act.